City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, May 8, 2017
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben and Luke Stack*
Members Absent	Councillor Mohini Singh
Staff Present	Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Financial Services, Genelle Davidson*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Planner, Adam Cseke*; Infrastructure Operations Department Manager, Ian Wilson*; Legislative Coordinator (Confidential), Arlene McClelland

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R347/17/05/08 THAT the Minutes of the Regular Meetings of May 1, 2017 be confirmed as circulated.

Carried

3. Committee Report

3.1 Financial Statements for the Year Ending December 31, 2016

Staff:
- Provided an overview of the Financial Statements for the year ending December 31, 2016 and responded to questions from Council.

DRAFT

Moved By Councillor Donn/Seconded By Councillor Stack

R348/17/05/08 THAT Council receives, for information, the Report from the Audit Committee dated May 2, 2017 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2016;

AND THAT Council approves the appropriation of $4,252,159 of surplus generated from all general fund operations in 2016 to reserves as detailed in the Report from the Audit Committee dated May 2, 2017;

AND FURTHER THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

4. Development Application Reports & Related Bylaws

4.1 280 Nickel Road, Z16-0064 - Clinton and Barry Senko

Staff:
- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

R349/17/05/08 THAT Rezoning Application No. Z16-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 27 Township 26 ODYD Plan 8839, located at 280 Nickel Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated December 12, 2016.

Carried

4.2 280 Nickel Road, BL11403 (Z16-0064) - Clinton and Barry Senko

Moved By Councillor DeHart/Seconded By Councillor Sieben

R350/17/05/08 THAT Bylaw No. 11403 be read a first time.

Carried

4.3 205 Hwy 33, DP17-0041 - Architecturally Distinct Solutions

Staff:
- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

DRAFT

Moved By Councillor Stack/Seconded By Councillor DeHart

R351/17/05/08 THAT Council authorizes the issuance of Development Permit No DP17-0041 for Lots 1, Section 23, Township 26, ODYD Plan KAP76191, located at 205 Hwy 33, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit application in order for the permit to be issued;

AND THAT the Development Permit conditions outlined in Attachment "A" attached to the Report from the Community Planning Department dated April 24th 2017 be completed prior to Building Permit issuance;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

5. Bylaws for Adoption (Development Related)

5.1 BL11376 (TA16-0007) -Medical Marihuana Amendments

Moved By Councillor Sieben/Seconded By Councillor DeHart

R352/17/05/08 THAT Bylaw No. 11376 be adopted.

Carried
Councillor Hodge - Opposed

6. Non-Development Reports & Related Bylaws

6.1 Revitalization Tax Agreement - 1775 Chapman Place

Item 6.1 was deferred to a later date.

6.2 Revitalization Tax Agreement - 1350 St. Paul Street

Staff:
- Displayed a PowerPoint presentation summarizing the Revitalization Tax Agreement with Sole Downtown Developments Ltd. and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Gray

R353/17/05/08 THAT Council approves the City entering into a Revitalization Tax Exemption Agreement (Schedule "A") with Sole Downtown Developments Ltd. for Lot 1 District Lot 139 ODYD Plan KAP68461 located at 1350 St Paul St, Kelowna, BC in the form attached to the Report from the Community Planning Department dated May 8, 2017;

AND THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreement on behalf of the City of Kelowna.

DRAFT

Carried

6.3 Parks and Public Spaces Bylaw Update

Staff:
- Provided an overview of the amendments to the Parks and Public Spaces Bylaw.

Moved By Councillor Given/Seconded By Councillor Sieben

R354/17/05/08 THAT Council receive for information the report from the Infrastructure Operations Manager, dated May 8, 2017 recommending changes to the Parks and Public Spaces Bylaw;

AND THAT Bylaw No. 11349 being Amendment No. 3 to Parks and Public Spaces Bylaw No.10680 be given reading consideration;

AND FURTHER THAT Bylaw No. 11350 being "Amendment No. 18 to Bylaw Notice Enforcement Bylaw No. 10475" be given reading consideration.

Carried

6.4 Amendment No. 3 to Parks and Public Spaces Bylaw No. 10680 - BL11349

Moved By Councillor Sieben/Seconded By Councillor DeHart

R355/17/05/08 THAT Bylaw No. 11349 be read a first, second and third time.

Carried

6.5 Amendment No. 18 to Bylaw Notice Enforcement Bylaw No. 10475 - BL11350

Moved By Councillor Sieben/Seconded By Councillor DeHart

R356/17/05/08 THAT Bylaw No. 11350 be read a first, second and third time.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 1545 Bedford Avenue, Housing Agreement Authorization Bylaw - BL11385

Councillor Stack declared a potential conflict of interest with Items 7.1 to 7.4 consecutively as his Employer may qualify for a Grant in this area this year and departed the meeting at 2:05 p.m.

Moved By Councillor Gray/Seconded By Councillor Donn

R357/17/05/08 THAT Bylaw No. 11385 be adopted.

Carried

7.2 1975 Kane Road, Housing Agreement Authorization Bylaw - BL11386

Moved By Councillor Donn/Seconded By Councillor Gray

R358/17/05/08 THAT Bylaw No. 11386 be adopted.

Carried

DRAFT

7.3 755 Academy Way, Housing Agreement Authorization Bylaw - BL11388

Moved By Councillor Gray/Seconded By Councillor Donn

R359/17/05/08 THAT Bylaw No. 11388 be adopted.

Carried

7.4 1459-1469 KLO Road, Housing Agreement Authorization Bylaw - BL11389

Moved By Councillor Hodge/Seconded By Councillor Gray

R360/17/05/08 THAT Bylaw No. 11389 be adopted.

Carried

Councillor Stack rejoined the meeting at 2:07 p.m.

7.5 Five Year Financial Plan, 2017-2021 - BL11394

Moved By Councillor Donn/Seconded By Councillor Given

R361/17/05/08 THAT Bylaw No. 11394 be adopted.

Carried
Councillors Gray and Sieben - Opposed

7.6 Tax Structure Bylaw, 2017 - BL11395

Moved By Councillor Donn/Seconded By Councillor Given

R362/17/05/08 THAT Bylaw No. 11395 be adopted.

Carried

7.7 Annual Tax Rates Bylaw, 2017 - BL11396

Moved By Councillor Donn/Seconded By Councillor Given

R363/17/05/08 THAT Bylaw No. 11396 be adopted.

Carried
Councillor Gray - Opposed

7.8 DCC Reserve Fund Expenditure Bylaw, 2017 - BL11397

Moved By Councillor Gray/Seconded By Councillor Hodge

R364/17/05/08 THAT Bylaw No. 11397 be adopted.

Carried

7.9 Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2017 - BL11398

DRAFT

Moved By Councillor Hodge/Seconded By Councillor Donn

R365/17/05/08 THAT Bylaw No. 11398 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Given:
- Made comment on the cooperative efforts amongst the local governments at the EOC; very effective and efficient services are being provided.
- Reminder to residents that this is Emergency Awareness Week and that the Regional Emergency Program provides email alerts in order to stay informed.

Councillor Donn:
- Made comment on the impacts on area residents due to the flooding and thanked all those who have been assisting.

Councillor Gray:
- Reminder that it's Mother's Day this coming weekend and how it may impact those in our community.

Councillor Hodge:
- Made comment on the flooding and thanked those who helped their neighbours.
- Pleased to see the new dog beaches going forward.
- Reminder that this Wednesday is the Civic Awards Ceremony.

Councillor Sieben:
- Expressed empathy for those affected by the flooding and reminded residents to be aware of further communications regarding the emergency.

Councillor DeHart
- Spoke to the hard work of all involved in the emergency efforts.
- Reminder of the Civic Awards Ceremony this Wednesday, May 10th.

Councillor Stack:
- Spoke to his attendance at the Asian Heritage Okanagan Gala held at the Okanagan College on May 6th.

Mayor Basran:
- Encouraged citizens to have an emergency kit prepared.
- Expressed condolences on behalf of Council to Cache Creek and family of missing Fire Chief.
- Spoke to the local state of emergency declared over the weekend to assist those impacted by flooding.
- Advised that the latest updates are available on the Central Okanagan Regional District Emergency website an encouraged the public to sign up for email updates.
- Reminder to citizens to be careful while flooding is occurring.

9. Termination

This meeting was declared terminated at 2:21 p.m.

Mayor

City Clerk

/acm

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